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5 Attorneys for Plaintiffs

6 UNITED STATES DISTRICT COURT
7
8 CENTRAL DISTRICT OF CALIFORNIA

9 BOARD OF TRUSTEES OF THE
10 SHEET METAL WORKERS' PENSION
11 PLAN OF SOUTHERN CALIFORNIA,
12 ARIZONA AND NEVADA; BOARD OF
13 TRUSTEES OF THE SHEET METAL
14 WORKERS' HEALTH PLAN OF
15 SOUTHERN CALIFORNIA, ARIZONA
16 AND NEVADA; BOARD OF
17 TRUSTEES OF THE SOUTHERN
18 CALIFORNIA SHEET METAL JOINT
19 APPRENTICESHIP AND TRAINING
20 COMMITTEE; BOARD OF TRUSTEES
21 OF THE SHEET METAL WORKERS'
22 LOCAL 105 RETIREE HEALTH PLAN;
23 BOARD OF TRUSTEES OF THE
24 SOUTHERN CALIFORNIA SHEET
25 METAL WORKERS' 401(A) PLAN;
26 SHEET METAL WORKERS'
27 INTERNATIONAL ASSOCIATION,
28 LOCAL UNION NO. 105 UNION DUES
CHECK-OFF AND DEFERRED
SAVINGS FUND; BOARD OF
TRUSTEES OF THE SOUTHERN
CALIFORNIA LABOR MANAGEMENT
COOPERATION TRUST; BOARD OF
TRUSTEES OF THE SHEET METAL
INDUSTRY FUND OF LOS ANGELES,

Plaintiffs,

v.

PULLEN ASSOCIATES, INC. dba
VISION MECHANICAL SERVICES,
INC.; RICHARD JACK PULLEN;
NELSON ALGAZE; and RICHARD
JAMES SHLEMMER; individuals,

Defendants.

Case No. CV12-07625 MWF (JCGx)

Hon. Michael W. Fitzgerald

ORDER ON STIPULATION FOR
JUDGMENT

Pursuant to the Stipulation by and between Plaintiffs, Board of Trustees of the Sheet Metal Workers' Pension Plan of Southern California, Arizona and Nevada ("Pension Plan"); Board of Trustees of the Sheet Metal Workers' Health Plan of Southern California, Arizona and Nevada ("Health Plan"); Board of Trustees of the Southern California Sheet Metal Joint Apprenticeship and Training Committee ("JATC"); Board of Trustees of the Sheet Metal Workers' Local 105 Retiree Health Plan ("Retirees Plan"); Board of Trustees of the Southern California Sheet Metal Workers' 401(a) Plan ("401(a) Plan"); Sheet Metal Workers' International Association, Local Union No. 105 Union Dues Check-Off and Deferred Savings Fund ("Dues and Savings Fund"); Board of Trustees of the Southern California Labor Management Cooperation Trust ("LMCT"); and Board of Trustees of the Sheet Metal Industry Fund of Los Angeles ("Industry Fund") (collectively the "Plans" or "Trust Funds"), and defendants, NELSON ALGAZE and PULLEN ASSOCIATES, INC. dba VISION MECHANICAL SERVICES, INC. ("the Company"), the Court has considered the matter fully and concluded that good cause exists to approve the parties' Stipulation in its entirety. The Court notes that defendants Richard Jack Pullen and Richard James Shlemmer were dismissed with prejudice from this action.

Accordingly, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

1. That the Company and Nelson Algaze are indebted to the Plans in the total amount of \$210,058.85 as follows: contributions (including the "Savings Deferral" which are wages deducted from employee paychecks) in the amount of \$61,397.04 for the delinquent work months of February 2012 (\$33,101.05), July 2012 (\$11,721.07) and August 2012 (\$16,574.91); \$92,107.87 in liquidated damages for late payment or nonpayment of contributions for the work months of September 2009 through November 2008, February 2009 through April 2009, June 2009 through December 2009, January 2010 through February 2010, July 2010 through September 2010, November 2010, December 2010, January 2011 through

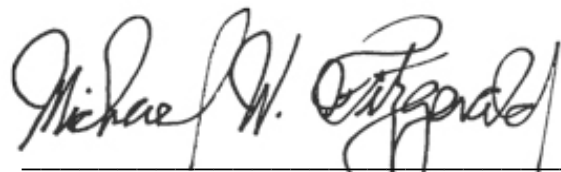
1 December 2011 and January 2012 through August 2012; \$46,053.94 in interest for
2 late payment or nonpayment of contributions for the work months of September
3 2009 through November 2008, February 2009 through April 2009, June 2009
4 through December 2009, January 2010 through February 2010, July 2010 through
5 September 2010, November 2010, December 2010, January 2011 through
6 December 2011 and January 2012 through August 2012; and attorney fees in the
7 amount of \$10,500.

8 2. Judgment is entered in favor of the Plans and against PULLEN
9 ASSOCIATES, INC. dba VISION MECHANICAL SERVICES, INC. and NELSON
10 ALGAZE, jointly and severally, in the amount of \$210,058.85 for delinquent
11 employee benefit plan contributions and accrued liquidated damages, interest,
12 attorney fees and costs, together with post-judgment interest thereon at the rate of
13 12% per annum as of the date of the Judgment.

14 3. This Court retains jurisdiction over this matter through December 30,
15 2013 to enforce the terms of any judgment entered hereunder, to order appropriate
16 injunctive and equitable relief, to make appropriate orders of contempt, and to
17 increase the amount of judgment based upon additional sums owed to the Plans by
18 the Company and Nelson Algaze

19
20 **IT IS SO ORDERED.**

21
22 Dated: November 30, 2012



Hon. Michael W. Fitzgerald